

REMARKS

Applicants thank the Examiner for total consideration given the present application. Claims 1-22 were pending prior to the Office Action. No claims have been cancelled or added through this Reply. Therefore, claims 1-22 are still pending. Claims 1, 5, 13, and 15 are independent.

Allowable Subject Matter

The Office Action notes that claims 3-4, 9, 11, 12, 14, 16, and 18-22 are objected to as otherwise allowable claims that are dependent from a rejected base claim. Applicants thank the Examiner for allowing these claims, but submit that the underlying independent claims should also be indicated as allowable.

35 U.S.C. § 103 Rejection – Swen and Clouthier

Claims 1, 5, 13, 15, and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,806,081 to Swen (hereafter “Swen”) in view of U.S. Patent 6,778,291 to Clouthier (hereafter “Clouthier”). Applicants respectfully traverse this rejection.

Claim 1

With respect to independent claim 1, Swen teaches “a method and system for embedding a [tagged-element] device profile into a document and extracting a [tagged-element] device profile from a document in a color management system.” (Col 2, lines 61-64). The Office Action states that Swen specifically does not teach or suggest “automatically converting, in said output device, said original image data into said second color space according to said tag data to produce converted image data of said second color space” as required by independent claim 1. The Office Action relies instead on Clouthier for this teaching.

Clouthier teaches compressing data to be printed so that the memory requirements of a printer may be reduced without degrading printer speed or performance. (Col. 6, lines 1-19). In a discussion of background and prior art, Clouthier states that “color laser printers include

mature technology that automatically, effectively, and accurately converts RGB data to CMYK print results.” (Col 2, lines 33-36). Clouthier also states that “the printer converts the three color planes of the RGB data to CMYK data before sending the data to the print engine.” (Col. 2, lines 44-46).

Clouthier does not teach or suggest that this RGB to CMYK conversion is based on any kind of tag data transmitted along with the original image data. Clouthier makes no reference to color space data or parameters, and only states that a laser printer is somehow, at some point during the printing process, capable of converting an RGB color space to a CMYK color space. There is no teaching or suggestion in Clouthier that this conversion is specifically done “according to said tag data” as required by independent claim 1.

Claim 13

Independent claim 13 recites a requirement of an output device operable to “convert said original image data relative to said first color space according to said tag data to produce converted image data of said second color space.” Clouthier fails to teach or suggest this claim limitation for the same reasons as stated in connection with independent claim 1. There is no teaching or suggestion in Clouthier that this conversion is based on, or done according to tag data regarding a color space.

Claim 5

Independent claim 5 recites a requirement of “converting, in said output device, said original image data into said second color space based upon the presumption that said first color space is said default color space.” The Office Action does not specifically address this claim limitation in its rejection of independent claim 5, however Applicants will proceed on the assumption that because the Office Action admits Swen does not teach “automatically converting, in said output device, said original image data into said second color space according to said tag data to produce converted image data of said second color space” as required by independent claim 1, Swen can be equally inferred to not teach “converting, in said output device, said original image data into said second color space based upon the presumption that

said first color space is said default color space” as required by independent claim 5 since this claim limitation also requires color-space conversion performed in an output device.

The Office action does not specifically state what aspects of Clouthier are relied upon to teach this limitation of independent claim 5, so Applicants will proceed on the assumption that the same portions of Clouthier referred to in the rejection of independent claim 1 are being applied to reject claim 5.

As noted with respect to independent claim 1, Clouthier makes no reference to color space data or parameters, and only states that a laser printer is somehow, at some point during the printing process, capable of converting an RGB color space to a CMYK color space. There is no teaching or suggestion in Clouthier of a “presumption that said first color space is said default color space” as required by independent claim 5. Applicants therefore respectfully submit that Clouthier does not teach or suggest that the color space conversion mentioned is “based upon the presumption that said first color space is said default color space” as required by independent claim 5.

Claim 15

Independent claim 15 recites a requirement of an output device that converts image data from a first color space to a second color space “based upon the presumption that said first color space is said default color space.” Clouthier fails to teach or suggest this claim limitation for the same reasons as stated in connection with independent claim 5. There is no teaching or suggestion in Clouthier of a “presumption that said first color space is said default color space” with respect to a color space conversion.

Claim 17

Applicants respectfully submit that claim 17 is allowable at least by virtue of its dependence from independent claim 13.

Reconsideration

At least in view of the above, Applicants respectfully submit that neither Swen nor Clouthier, taken either alone or in combination (assuming the references may be combined – which Applicants do not admit) teach or suggest all the limitations of independent claims 1, 5, 13, or 15 and all claims depending therefrom. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

35 U.S.C. § 103 Rejection – Swen, Clouthier, and Kumada

Claims 2, 6-8, and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Swen in view of Clouthier in further view of U.S. Patent 6,337,922 to Kumada (hereafter “Kumada”). Applicants respectfully traverse this rejection.

Reliance on Kumada

The Office Action relies on Kumada to teach a way of using tagged data to increase image quality, to teach standard RGB (sRGB) as a default color space, and also to teach a display device that generates color space conversion parameters in order to convert image data from a first color space to a second color space. The Office Action does not identify where in Kumada this last teaching resides.

Applicants submit that the Office Action does not rely upon Kumada for, and Kumada does not teach, an output device that converts image data from a first color space to a second color space based on either tag data or presumptions about the first color space. Applicants respectfully submit that Kumada does not remedy the deficiencies of Swen or Clouthier and that therefore none of Kumada, Swen, or Clouthier, taken alone or in combination (assuming the references may be combined, which Applicants do not admit) teach or suggest all the limitations of independent claims 1, 5, 13, or 15.

Accordingly, Applicants respectfully submit that claims 2, 6-8, and 10 are allowable at least by virtue of their dependency on independent claims 1, 5, 13, and 15. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Conclusion

In view of the above remarks, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael K. Mutter, Reg. No. 29,680 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.14; particularly, extension of time fees.

Dated:

Respectfully submitted,

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